

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth, HTA, and ERS.**

**INFORMATIVE MOTION OF THE COMMONWEALTH OF PUERTO RICO,
THE PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY,
AND THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT
OF THE COMMONWEALTH OF PUERTO RICO REGARDING
THREE HUNDRED FIFTIETH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) TO DUPLICATE LITIGATION CLAIMS**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Highways and Transportation Authority (“HTA,” and together with the Commonwealth and ERS, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (vi) Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

(the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² hereby respectfully state the following:

1. At the January 20, 2022 hearing on adjourned omnibus objections to claims (the “January Claim Objection Hearing”), the Court heard argument regarding the Debtors’ *Three Hundred Fiftieth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Duplicate Litigation Claims* [ECF No. 17112] (the “Three Hundred Fiftieth Omnibus Objection”) and several responses thereto.

2. As detailed in the *Reply of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Responses Filed by Stephanie H. Wilson Crespo* [ECF No. 17385], *Veronica Arroyo López* [ECF No. 17471], and *Mayra E. Torres Ramos* [ECF No. 17485] to *Three Hundred Fiftieth Omnibus Objection (Non-Substantive) to Duplicate Litigation Claims* [ECF No. 19658] (the “Reply”), certain claims subject to the Three Hundred Fiftieth Omnibus Objection are duplicative of the liabilities asserted by Proof of Claim No. 29477 (the “Vélez Master Claim”), which was filed on behalf of certain plaintiffs in the litigation captioned *Rosa Lydia Vélez v. Puerto Rico Department of Education*, KPE1980-1738 (the “Vélez Litigation”) who are represented by José E. Torres Valentín (“Torres Valentín”) of Torres Valentín Estudio Legal, LLC.

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

3. At the January Claim Objection Hearing, the Court directed the Debtors to submit a supplemental filing with documentation regarding the identities of the claimants covered by the Vélez Master Claim. Hrg. Tr. at 91:13-22; *see also id.* at 88:1-13.

4. Because the Vélez Master Claim does not attach a list or chart identifying each plaintiff in the Vélez Litigation, the Debtors contacted Mr. Torres Valentín to obtain a list of plaintiffs covered by the Vélez Master Claim. In response, Mr. Torres Valentín provided a table, attached hereto as **Exhibit A** (the “Vélez Litigation Plaintiff List”), which sets forth the names of each plaintiff in the Vélez Litigation. According to the “key” included at page 183 of the Vélez Litigation Plaintiff List, all claimants shaded in green are represented by Mr. Torres Valentín, the lead class attorney, and are therefore covered by the Vélez Master Claim. Sensitive personally identifying information has been redacted from the Vélez Litigation Plaintiff List. The Debtors relied upon this table in identifying individual plaintiffs who are covered by the Vélez Master Claim.

5. Accordingly, to the extent any individual claimants in the Vélez Litigation who are identified on the Vélez Litigation Plaintiff List and shaded in green also asserted individual proofs of claim asserting liabilities arising from the Vélez Litigation, those claims are duplicative of the Vélez Master Claim.

Dated: May 24, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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